

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALEJANDRO SANCHEZ, ET AL.,

Plaintiffs,

v.

OCEANSIDE INVESTMENTS, INC., et al.,

Defendants.

Case No. [15-cv-03453-MEJ](#)

STATUS REPORT ORDER

ORDER TO SHOW CAUSE

Re: Dkt. No. 55

On May 5, 2017, the Court issued a Status Report Order in which it ordered the parties to take certain steps to resolve the action no later than June 2, 2017:

1. Defendant Gable Jackson Payne (“Payne”) to dismiss his counterclaims, or file a declaration that he intends to prosecute his counterclaims;
2. Plaintiffs Alejandro Sanchez and Juan Sanchez (collectively, “Plaintiffs”) to file a notice of dismissal as to Defendant Oceanside Investment, Inc. (“Oceanside”) or (2) a status report as to how they intend to proceed against Oceanside in light of its status as a suspended corporation; and
3. Plaintiffs and Defendant Jeffe Payne Leffler (“Leffler”) to file either a joint statement indicating whether further alternative dispute resolution efforts would be productive or a notice of settlement.

Order ¶¶ 1-3, Dkt. No. 52. The Court vacated all trial and trial-related dates and set a case management conference for September 28, 2017 at 10:00 a.m. *Id.* ¶ 4.

On May 30, 2017, Plaintiffs filed a notice of settlement as to Leffler. Notice, Dkt. No. 54. On May 31, 2017, Payne filed a status report indicating he intends to prosecute his counterclaims against Plaintiffs. Dkt. No. 55.

1 However, Plaintiffs did not respond to the Court's Order as to Oceanside. Accordingly,
2 the Court **ORDERS** the following:

- 3 1. Plaintiffs shall show cause why their case against Oceanside should not be
4 dismissed for failure to prosecute and failure to comply with court deadlines.
5 Plaintiffs shall file a declaration by **June 12, 2017**. If a responsive declaration is
6 filed, the Court shall either issue an order based on the declaration or conduct a
7 hearing on **June 29, 2017** at 10:00 a.m. in Courtroom B, 15th Floor, 450 Golden
8 Gate Avenue, San Francisco, California. Notice is hereby provided that failure to
9 file a written response will be deemed an admission that Plaintiffs do not intend to
10 prosecute, and the case will be dismissed without prejudice. Thus, it is imperative
11 that the Court receive a written response by the deadline above.
12 2. In light of Payne's intention to prosecute his counterclaims and Plaintiffs'
13 anticipated dismissal of claims against Leffler (*see* Notice), Plaintiffs and Payne
14 shall file a joint status report indicating whether they believe a further settlement
15 conference, mediation, or other alternative dispute resolution process would be
16 productive. The parties shall file their status report by **June 19, 2017**.

17 **IT IS SO ORDERED.**

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19 Dated: June 5, 2017

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22 MARIA-ELENA JAMES
23 United States Magistrate Judge
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